

RECEIVED

GAU 2721

APR 03 2001

Technology Center 2600
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 072982/0191



Applicant: Kaoru UCHIDA
Title: INFORMATION PROCESSING DEVICE AND INFORMATION
PROCESING METHOD USING FINGERPRINT IDENTIFICATION
Serial No.: 09/396,423
Filing Date: September 15, 1999
Examiner: Unassigned
Art Unit: 2721

#5
4-3-01

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 and 37 C.F.R. §1.97

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of the listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such a document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIME OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits or a notice of allowance has been mailed before the filing of the instant Information Disclosure Statement, a certification or fee is required. Applicant provides a certification below in lieu of the fee. If for some reason a fee is required, then the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

Document A1 was cited in a Japanese Office Action that issued January 23, 2001, for a counterpart Japanese patent application.

The following is a translation of a portion of the Japanese Office Action mentioned above:

"Cited Literature 1 (Japanese Unexamined Patent Publication H5-250319) is recognized as describing the following invention.

"An information-processing method which uses an ID and password, wherein, when the use of a device being used by the user is interrupted, user-specific information concerning said device at a time of interruption is saved and matched with a user ID and password which have been input at the time of resuming use of the device being used by the user, and when the use of said device is resumed, the user ID and password are entered, and the user-specific information that has been saved and matched with the ID and password which have been input at a time of resumption is selected and provided to the user."

Accordingly, the invention described in Claim 1 of the present application and the invention described in Cited Literature 1 differ with respect to the two points described below, but correspond with respect to the other points.

(a) The point that information corresponding to user-specific information is newly input "when used is interrupted" in the invention according to claim one of the subject application, while in the invention described in Cited Literature 1 is input "when use is resumed."

(b) The point that the invention according to Claim 1 uses "the fingerprint of a desired finger" and matches user-specific information to "only the fingerprint," while the invention described in Cited Literature 1 matches user-specific information to an "ID and password."

With regard to

(a) Since the fact that information corresponding to user-specific information is input when use is interrupted, is stated as a prior art in the 5th paragraph of "Specifications" of the present application, and is also described in Japanese Unexamined Patent Publication S58-40662, it is merely a publicly known technique and does not constitute a substantial difference.

With regard to

(b) Referring to lines 7 to 12 of column 5 and Table 22 of Fig. 2 in Cited Literature 2 (Japanese Unexamined Patent Publication H10-198453), environment-setting data is linked to fingerprint data only. Moreover, referring to line 48 of column 5 to line 7 of column 6 and

Fig. 7, only fingerprints are input in fingerprint collation. Further, in lines 28 to 31 of column 6, it is stated that various environment settings and customization can be realized by storing data of different fingers and selectively using [different] fingers.

Since environment setting data is not different in being user-specific information relating to the device, Cited Literature 2 describes the invention relating to "an information-processing method using fingerprint identification, whereby fingerprint information of a desired finger of a user is input, matched only to a fingerprint that has been input as user-specific information relating to the device, and stored, and when the device is used, the fingerprint of a desired finger of the user is input, and user-specific information stored corresponding to the fingerprint that has been input at the time of use is selected and offered to the user." (In addition, it is recognized that the name of the user is merely input only for display as guidance in environment setting and fingerprint reference.)

Thus, since the inventions described in Cited Literature 1 and 2 share the aspect of offering user-specific information relating to a device, using "the fingerprint of a desired finger" as described in Cited Literature 2 instead of "an ID and password" in the invention described in Cited Literature 1 as information to be matched with user-specific information, and matching user-specific information to "the fingerprint only" could be easily conceived by a person skilled in the art.

Accordingly, since Claim 1 of the present application could easily have been conceived by person skilled in the art on the basis of the inventions described in Cited Literature 1 and 2 and generally known technology, it shall not be granted a patent under the provisions of Article 29, Section 2 of Japanese Patent Law. Moreover, the same applies to the inventions described in Claims 2 to 8."

With respect to Cited Literature 1 and Cited Literature 2 mentioned above, these two references were submitted in an Information Disclosure Statement that was filed December 27, 2000.

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, which is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed document be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

Date April 2, 2001

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5407
Facsimile: (202) 672-5399